

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GYM DOOR REPAIRS, ET AL.,

Plaintiffs,

15-cv-4244 (JGK)

- against -

MEMORANDUM OPINION AND
ORDER

TOTAL GYM REPAIRS, ET AL.,

Defendant.

JOHN G. KOELTL, District Judge:

The Court has reviewed the Report and Recommendation of Magistrate Judge Wang, dated April 10, 2024. ECF No. 1093. The Magistrate Judge recommended that pre-judgment interest not be awarded on the award of attorney's fees and costs to the defendants. Id. at 2. The Court noted that the award of pre-judgment interest on such an award was not mandatory and that, in the exercise of discretion, the award should not be made in this case based on the Court's experience with the lawyers in this extensively-litigated case. Id. at 1-2. Only the Total Gym defendants objected. See ECF No. 1094. While they claimed not to have litigated "unreasonably," they have not shown that it was an abuse of discretion for the Magistrate Judge to have declined to add pre-judgment interest on top of the award of attorney's fees and costs. Therefore, on de novo review, there is no merit to the objection and it is overruled. The Court will enter the judgment as recommended by the Magistrate Judge. See ECF No.

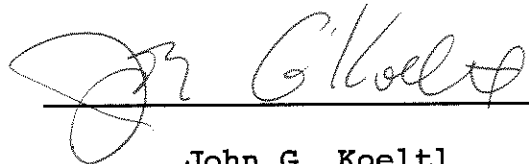
1093 at 2 (recommending that the proposed judgment at ECF No. 1091-4 be entered).

Conclusion

The Court has considered all the arguments by the parties. To the extent not specifically discussed, the remaining arguments are either moot or without merit. The Court adopts the Magistrate Judge's Report & Recommendation in its entirety. Accordingly, the objections to the Report and Recommendation of the Magistrate Judge dated April 10, 2024 are **overruled**. The Clerk is directed to close all open motions.

SO ORDERED.

**Dated: New York, New York
May 7, 2024**



**John G. Koeltl
United States District Judge**